

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

ALFONSO JACKSON,

Plaintiff,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:05-CV-00428-HDM-RAM**

SHERYL FOSTER, et al.,

Defendants.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Count I of Plaintiff's Fourth Amended Complaint (#124) against Defendant Doakes is **DISMISSED** with prejudice for failure to state a claim on which relief can be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Motion for Summary Judgement filed by Defendants Sheryl Foster, Ben Gutierrez, Bob Hartman, Jim Ferguson, Dr. David Mumford and Ira Hollingsworth on counts II, III and IV (#140) is **GRANTED**. Plaintiff's Cross Motion for Summary Judgment (#148, 150, 151) is **DENIED**.

September 22, 2008

LANCE S. WILSON
Clerk

/s/ D. R. Morgan
Deputy Clerk